

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RONNIE COLE, 91-A-9212,

Plaintiff,

08-CV-699A (Sc)

-vs-

FISCHER, KIRKPATRICK, SCHUMACHER,
STICH, VENETOZZI, BELLAMY,
SHRODER, SKELLY, MALLOY, MCGUIRE,
HODGES, MEHNERT, TROTTER and
NIXON,

Defendants.

Motion for Extension
of Time

Defendants Fischer, Kirkpatrick, Schumacher, Stich,
Venetozzi, Bellamy, Schroder, Skelly, Malloy, McGuire, Mehnert,
Trotter and Nixon (the "Defendants"), hereby move this Court to
extend all the Defendants' time to respond to the Plaintiff's
Motion for Partial Summary Judgment, from November 20, 2009 to
December 18, 2009, for the reasons set forth in the Declaration
of Michael J. Russo, AAG, submitted herewith. The Defendants'
motion is to be heard at the United State Courthouse, 68 Court
Street, Buffalo, NY, before the Hon. Hugh B. Scott, at a date and
time to be set by the Court.

November 19, 2009

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
FISCHER, KIRKPATRICK,
SCHUMACHER,
STICH, VENETOZZI, BELLAMY,
SHRODER, SKELLY, MALLOY,
MCGUIRE, MEHNERT, TROTTER and
NIXON

s/Michael J. Russo, AAG
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MALLOY, MCGUIRE, HODGES, MEHNERT,
TROTTER and NIXON,
Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2009 I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, and mailed a copy by first-class mail, postage pre-paid, to:

Ronnie Cole (91-A-9212)
Mohawk Correctional Facility
6100 School Road
P.O. Box 8450
Rome, NY 13440

DATED: November 19, 2009
Buffalo, New York

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
FISCHER, KIRKPATRICK,
SCHUMACHER, STICH, VENETOZZI,
BELLAMY, SHRODER, SKELLY,
MALLOY, MCGUIRE, MEHNERT,
TROTTER and NIXON

BY:

s/ Michael J. Russo

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